AO 133 (Rev. 9/89) Bill of Costs

UNITED STATES DISTRICT COURT

SOUTHERN District of OHIO

CLARK

V.

THE WALT DISNEY COMPANY, ET AL.

BILL OF COSTS

Case Number: 08-cv-0982

Judgment having been entered in the above entitled action on October 9, 2009 (Date) against Plaintiffs, the Clerk is requested to tax the following as costs:

Fees of the Clerk	$ 910
Fees for service of summons and subpoena	
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	
Fees and disbursements for printing	
Fees for witnesses (itemize on reverse side)	
Fees for exemplification and copies of papers necessarily obtained for use in the case	
Docket fees under 28 U.S.C. 1923	
Costs as shown on Mandate of Court of Appeals	
Compensation of court-appointed experts	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	
Other costs (please itemize)	
TOTAL	$ 910

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Brian Dickerson.

Signature of Attorney:

Name of Attorney: Grant Kinsel

For: Defendants (Name of Claiming Party) Date: November 10, 2009

Costs are taxed in the amount of ________ and included in the judgment.

Clerk of Court By: Deputy Clerk Date

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
					TOTAL		

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:
"Sec. 1924. Verification of bill of costs."
"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:
"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:
Rule 54 (d)
"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)
"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)
"Entry of the judgment shall not be delayed for the taxing of costs."

EXHIBIT 1

ITEMIZATION OF COSTS FOR BILL OF COSTS

COST DESCRIPTION	AMOUNT
Filing fees	$265.00
Pro Hac Vice Fees	$200.00
Filing Fees	$445.00
TOTAL	**$910.00**

FOLEY

FOLEY & LARDNER LLP

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JAKKS Pacific, Inc.
22619 Pacific Coast Highway
Suite 250
Malibu, CA 90265

Date: March 9, 2009
Invoice No.: 31010273

REDACTED

Please note that as of February 1, 2009, there may be certain matters on which legal fees have been adjusted. This may or may not affect you. Please contact your principal attorney at the Firm if you have questions.

Please reference your account number 094622-0101 and your invoice number 31010273 with your remittance payable to Foley & Lardner LLP.

Foley & Lardner LLP
Federal Employer Number:
39-0473800

REDACTED

REDACTED

Expenses Incurred

Description	Amount
Photocopying Charges	$21.75
Electronic Legal Research Services	$336.39
Recording / Filing Fees - - Vendor: U.S. Legal Management Services, Inc. -- United States District Court	$265.00
Recording / Filing Fees - - Vendor: Clerk Of The Court Motion For Admission Pro Hac Vice	$200.00
Expenses Total:	$823.14

Certain services and expenses, which involve payments made to third parties, include an additional charge based upon our internal costs with respect to those services and expenses.

REDACTED

FOLEY

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JAKKS Pacific, Inc.
22619 Pacific Coast Highway
Suite 250
Malibu, CA 90265

Date: May 7, 2009
Invoice No.: 31034104

REDACTED

Please reference your account number 094622-0101 and your invoice number 31034104 with your remittance payable to Foley & Lardner LLP.

Foley & Lardner LLP
Federal Employer Number:
39-0473800

REDACTED

REDACTED

Expenses Incurred

Description	Amount
Photocopying Charges	$1.05

Description	Amount
Shipping/courier/messenger Services	$29.90
Electronic Legal Research Services	$61.95
Photocopying Charges - - Vendor: Marcus Uppe, Inc. -- Document Imaging, OCR and Cd Creation Charges	$379.80
Recording / Filing Fees - - Vendor: U.S. Legal Management Services, Inc. -- Usdc Southern District Of Ohio	$445.00
Expenses Total:	$917.70

Certain services and expenses, which involve payments made to third parties, include an additional charge based upon our internal costs with respect to those services and expenses.

REDACTED

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2009, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system upon counsels of record, and I hereby certify that I have mailed by United States Postal Service the document to the following:.

Brian Edward Dickerson
The Dickerson Law Group
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/s/ Grant E. Kinsel
Grant E. Kinsel (172407)
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